

REMARKS

Applicants hereby petition for revival of an unintentionally abandoned application, and in support thereof, Applicants respectfully submit the following:

- (1) A reply to the outstanding Office Action ("Action") mailed to Applicants on November 24, 2006;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional (above).

Since the present application was filed after June 8, 1995, no terminal disclaimer is included. (See, 37. C.F.R. § 1.137(d) (3)).

I. Status of Pending Claims

Claims 1-6, 8-20, 36, 38, 40,42,44,46 and 48-64 are pending in the present application. Applicants note with appreciation the Action's allowance of Claims 1-6, 8, and 49. Claims 9-20, 36,38,40,42,44,46,48, and 50-64 stand rejected. Claim 49 has been amended to recite proper process language. Upon entry of this amendment, claims 7, 9-48 and 50 -64 will be cancelled; leaving allowed claims 1-6, 8, and 49.

II. Rejection of Claims Under 35 U.S.C. § 112, First Paragraph (Enablement)

The Action rejected claims 9-20,36,38,40,42,44,46,48, and 50-64 under 35 U.S.C. § 112, first paragraph for failing to comply with the enablement requirement. The Action avers that the claims contain subject matter, which has not been described in the specification to enable one skilled in the art to which it pertains, or with which it is most nearly connected to make/and or use the invention. In support thereof, the Action points to eight (8) factors, which are considered when determining whether the content of a disclosure contains sufficient evidence determinative of undue experimentation. (Action at 2 and 3).

In response, Applicants have cancelled the rejected claims and affirm the right to prosecute these claims in a related application. Accordingly, in the absence of the cancelled claims, the Action's rejection cannot be sustained and should be withdrawn.

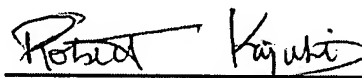
III. Conclusion

Applicants respectfully submit that this application is now in condition for allowance as all remaining claims have been indicated as free of prior art. Accordingly, a Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

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